

Posted – November 2, 2011

REGULAR MEETING NOVEMBER 7, 2011

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, November 7, 2011 at 7:00 P.M. (6:00 P.M.- LEGISLATIVE AGENDA) the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to

reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

LEGISLATIVE AGENDA

Town's legislative concerns to be addressed at the 2011-2012 session of the General Assembly – with the Town's General Assembly delegation.

PUBLIC FORUM SESSION

1. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.

AWARDS & PROCLAMATIONS

2. Presentation by Senator Louis P. DiPalma, Senate District 12, re: Senate Citation to Town Administrator.

3. Presentation by Representative Deborah Ruggiero, House District 74, re: House Citation to Town Administrator.

PRESENTATION

4. Memorandum of Town Administrator, re: Business Plan for Second Beach Pavilion – Presentation by RKG.

5. Memorandum of Town Administrator, with enclosure, re: Final Stormwater Alternatives Evaluation Work – Robert Rafferty, representing Woodard and Curran.

6. Memorandum of Town Administrator, with enclosure, re: Final Sanitary Sewer Overflow Alternatives Report - Robert Rafferty, representing Woodard and Curran.

ACTING AS A BOARD OF LICENSE COMMISSION

7. (Public Hearing Advertised)

Applications received from the following named persons, firms or corporations for RENEWAL of Alcoholic Beverage Licenses for the 2011-2012 licensing year. (See attached list)

CONSENT

8. Approval of Minutes, re: Regular Meeting, October 17, 2011.

9. Approval of Minutes, re: Special Meeting, October 19, 2011.

10. Resolution of the Council, re: Proclamation – Sergeant Michael F. Paranzino – Proclaiming November 5th as Michael F. Paranzino Day in the Town.

11. Resolutions from Rhode Island Cities and Towns, re: Requesting support for proposed Statewide Pension Reform, Repealing of Tax on Tours, Opposing Increased Tolls for the Newport Pell Bridge and

Pass the Retirement Security Act of 2011.

12. Communication of Town Clerk, Town of Portsmouth, with enclosure, re: Requesting the Town to support the Town of Richmond to oppose the proposed implementation of paid tolls on Interstate Route 95.

13. Communication of David Charette, PWS, LEED AP, Senior Associate, Langan Engineering and Environmental Service, re: Draft United States Coast Guard Environmental Assessment Dredging to Support D1/CGC JUNIPER: Recapitalization Buoy Tender Waterfront NAVSTA Newport, Newport, Rhode Island.

14. Communication of Steven W. Pristawa, P.E., Secretary, State Traffic Commission, re: Approval of proposed three lane configuration to be implemented through the Two Mile Corner Reconstruction project.

15. Communication of Sandra K. Knight, PhD, PE, Deputy Associate Administrator for Mitigation, FEMA, with enclosure, re: Results of the National Flood Insurance Program (NFIP) Community Rating System (CRS) field verification findings.

16. At the request of Vice President Long, Resolution of the Council, re: In the Aftermath of Tropical Storm Irene.

17. Memorandum of Town Administrator, re: Former JFK Elementary School Building.

18. Memorandum of Town Administrator, with enclosure, re: Quarterly Tax Collector's Report @ 9/30/2011.

19. Memorandum of Town Administrator, with enclosures, re: Quarterly Financial Report @ 9/30/2011.

20. Applications received from the following named persons, firms or corporations for RENEWAL of Victualling House Licenses, for the 2011-2012 licensing year. (See attached list)

21. Applications received from the following named persons, firms or corporations for RENEWAL of Mechanical Amusement Device Licenses, for the 2011-2012 licensing year. (See attached list)

PUBLIC HEARINGS

22. Memorandum of Town Administrator, re: Proposed Zoning Ordinance Amendments – Watershed Protection District, Section 1102.

23. (Public Hearing (Advertised))

An Ordinance of the Town of Middletown (First Reading)

An Ordinance in amendment to the Town Code of the Town of

Middletown, Chapter 152, Zoning Code, changing text, Article 6 – Application of District Regulations, Section 603-District Dimensional regulations, Section 605 Maximum Building Footprint, Article 11 Watershed Protection District, Section 1102 Areas within Zone 1 and Article 13 Off-Street Parking and Loading, Section 1304 Minimum and Maximum Off-Street Parking. (Planning Board recommendation attached)

OTHER COMMUNICATIONS

24. Memorandum of Rian Wilkinson, Beach Commission Chairman, with enclosures, re: Proposal – Third Beach Boat Ramp/Floating Docks.

25. Memorandum of Town Administrator, with enclosure, re: Status of Agreement to Fund Third Beach Boat Ramp.

26. Request of David S. Wolfenden, on behalf of Newport Navy Choristers, re: Requesting support by placing an ad in the Christmas in Newport Program Advertising Book.

COMMUNICATIONS OF TOWN COUNCIL

27. Memorandum of Councillor Cambra, re: Middletown Committee for the Arts.

28. Memorandum of Vice President Long, with enclosure, re: Independent Wind Turbine Study and Extension of Moratorium.

COMMUNICATIONS TOWN ADMINISTRATOR

29. Memorandum of Town Administrator, with enclosures, re: Contract Award: Surveying & Engineering Services, Vernon Avenue, Fenner Avenue & Livingston Place Sanitary Sewer Project.

30. Resolution of the Council, re: Contract Award: Surveying & Engineering Services, Vernon Avenue, Fenner Avenue & Livingston Place Sanitary Sewer Project.

31. Memorandum of Town Administrator, with enclosure, re: RIEMA Pre-Disaster Hazard Mitigation Planning Grant Award.

32. Resolution of the Council, re: Request to accept and execute RIEMA grant agreements.

33. Memorandum of Town Administrator, with enclosures, re: Surplus Vehicles & Equipment.

34. Resolution of the Council, re: Surplus Vehicles & Equipment.

35. Memorandum of Town Administrator, with enclosures, re: State

Retirement System – Comprehensive Pension Reform.

36. At the request of President Weber and Councillor Silveira, Resolution of the Council, re: State Retirement System – Comprehensive Pension Reform.

37. Memorandum of Town Administrator, with enclosures, re: FY2011 Budget Adjustments as of June 30, 2011.

38. Resolution of the Council, re: FY2011 Budget Adjustments as of June 30, 2011– General Fund.

39. Resolution of the Council, re: FY2011 Budget Adjustments as of June 30, 2011 – Parks and Recreation Fund.

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.